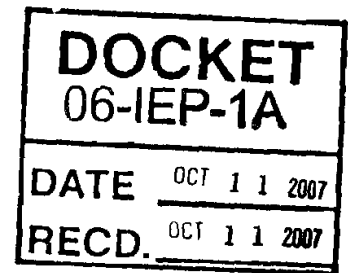


From: Lorraine White
To: Docket Optical System
Date: 10/11/2007 11:56 AM
Subject: Fwd: 2007 Draft IEPR Report



Hi docket
Please docket this email to 06-IEP-1A and distribute. Thank you.

Lorraine

>>> "Philip L. Millenbah, AICP" <philip@i-plan.net> 10/11/2007 10:55 AM >>>
Dear Ms. White,

I want to thank you and the rest of the CEC staff for the great job you did on the draft 2007 Integrated Energy Policy Report. There is an amazing amount of information in the report and yet it is written in such an understandable way.

Even though I am late to the process and although your working group may have dealt with these issues earlier I thought I would pass along a couple of comments I have on the report regarding CEQA, and the effects of tax policy on land use.

1) CEQA. I agree with the reports recommendation that the state should either encourage or require energy elements for cities General Plans. However, I think any legislation that requires cities to develop energy elements should also make the preparation and adoption of those energy elements the equivalent of the elements final environmental review-no subsequent CEQA review. San Francisco Planning and Urban Research has a policy paper on CEQA called "Fixing the Environmental Quality Act" (www.spur.org/documents/20060201-CEQA3.pdf). In this paper they point to research that shows 10 times more money goes into the CEQA document than into the actual General Plan planning process. CEQA has become a procedural document ("papering over planning") and not a planning document. What should actually happen is that the planning process -for General Plans and for energy elements- should include environmental considerations and the adoption of the plan should be the plans environmental review. There seems to be an urgency for solving energy and global warming issues and having the planning process include the environmental process makes a lot of sense.

2) "Fiscalization" of Land Use. The draft report suggests that more study should be done on the effect of tax policies on land use. The Public Policy Institute of California has done a comprehensive study of the issue. The report is "California Cities and the Local Sales Tax", by Paul G. Lewis and Elisa Barbour. 1999. (<http://www.ppic.org/main/publication.asp?i=107>). In conclusion the report states, "in 1994 the nonpartisan Legislative Analyst's Office proposed a plan under which the one-cent Bradley-Burns sales tax would be turned over to the state treasury. In return, the state would allocate more of the property tax to cities and counties and less to school districts (with the state covering the loss of school funds with its increased sales tax revenues). This proposal goes further in actually ending

the situs-based local sales tax, as the Legislative Analyst's Office viewed the land-use effects of sales tax competition as particularly pernicious."

Clearly, solving land-use related fiscal issues would take a monumental effort by state legislators. But considering the urgency of the energy and global warming problems we are currently facing maybe now would be the time for the legislature to deal with this issue. And maybe the report could encourage that legislative effort and not simply ask for more studies?

Hoping that I am not sounding too effusive, I want to say again how impressed I am with this report.

Regards,

Phil Millenbah

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